



Patent Docket P5026R1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  DeSauvage et al.  Serial No.: 10/643,795  Filed: August 19, 2003  For: <i>Compositions and Methods for the Diagnosis and Treatment of Tumor</i>	Group Art Unit: 1642  Examiner: Lei Yao  Confirmation No.: 6007  Customer No.: 09157
<p style="text-align: center;"><b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on</p> <p style="text-align: right;">July 11, 2006</p> <p style="text-align: right;">_____ Teri Lee</p>	

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This is in response to the Restriction and Election of Species Requirement mailed herein on June 27, 2006 setting a due date for response of July 27, 2006.

The Commissioner is authorized to charge any fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 07-0630.

In response to the outstanding restriction requirement, Applicants elect the invention of Group I, namely linked Claim 17.

In response to the outstanding requirement for election of single disclosed species, Applicants elect the claimed method which employs determining the level of expression of the gene using an RT-PCR analysis.

These elections are made without traverse.

**Serial No.: 10/643,795**  
**Filed: August 19, 2003**

The Examiner is invited to contact the undersigned at (650) 225-4461 if any issues may be resolved in that manner.

Respectfully submitted,  
GENENTECH, INC.

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